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STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

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THE BURLINGTON NORTHERN AND SANTA FE
RAILWAY COMPANY,

Petitioner,

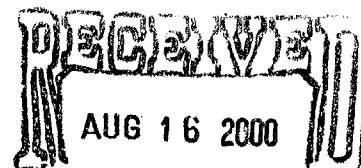
v.

ALTO TOWNSHIP, LEE COUNTY, ILLINOIS
and THE STATE OF ILLINOIS, DEPARTMENT
OF TRANSPORTATION,

Respondents.

PETITION TO THE ILLINOIS COMMERCE
COMMISSION REQUESTING AUTHORITY TO
PERMANENTLY CLOSE AND BARRICADE THE
AT GRADE CROSSING LOCATED AT THE
INTERSECTION OF THE TRACKS OF THE
BURLINGTON NORTHERN AND SANTA FE
RAILWAY COMPANY AND TR 278
(LOCUST ROAD) MILEPOST 75.15,
DOT #069783S IN ALTO TOWNSHIP, LEE
COUNTY, ILLINOIS

=====



ILLINOIS COMMERCE COMMISSION
RAILROAD ENGR. SEC.

700.0076

P E T I T I O N

Now comes Petitioner, The Burlington Northern and Santa Fe Railway Company ("BNSF") by its attorneys, Kenneth J. Wysoglad & Associates and for its Petition to the Illinois Commerce Commission states as follows:

1. Petitioner, BNSF, is a Delaware Corporation with its principle place of business in Ft. Worth, Texas and is a registered rail carrier in the State of Illinois.

2. BNSF operates a common carrier service by railroad in the interstate and intrastate commerce and has trackage and operates rail service in various counties in the State of Illinois, including Lee County, Illinois.

3. BNSF operates a single mainline track in a generally

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southeast to northwest direction through Alto Township, Lee County, Illinois.

4. BNSF's single mainline track intersects with Township Road TR 278 (Locust Road) at a less than 90 degree angle and creating an at grade crossing at Milepost 75.15, DOT #069783S.

5. TR 278 (Locust Road) is a north/south roadway under the jurisdiction of Alto Township, Lee County, Illinois.

6. TR 278 (Locust Road) is a narrow unimproved roadway in the area of the crossing location.

7. The grade crossing at TR 278 (Locust Road) and the tracks of BNSF, Milepost 75.15, DOT #069783S is equipped with standard reflectorized crossbuck signs.

8. The crossing at TR 278 (Locust Road) and the tracks of BNSF at Milepost 75.15, DOT #069783S is located in a sparsely populated, rural area. The grade crossing at TR 278 (Locust Road) and the track of BNSF at Milepost 75.15, DOT #069783S is a rarely utilized at grade crossing.


9. Should the public at grade crossing at TR 278 (Locust Road) and the tracks of BNSF be closed, there would be little inconvenience to the travelling public as there are reasonable alternative routes and at grade crossings available for use by the travelling public.

10. Public safety would be enhanced by the elimination of the subject at grade crossing.

WHEREFORE, Petitioner, The Burlington Northern and Santa Fe Railway Company prays that the Illinois Commerce Commission set the aforesaid matter for hearing after notice to the public and thereafter enter an order requiring the permanent closure of the at grade crossing located at Township Road TR 278 (Locust Road) and the tracks of The Burlington Northern and Santa Fe Railway Company at Milepost 75.15, DOT #069783S, and such other and further relief as the Illinois Commerce Commission deems appropriate.


The Burlington Northern and Santa Fe
Railway Company

By:


Cheryl Townlian

Kenneth J. Wysoglad & Associates

By:

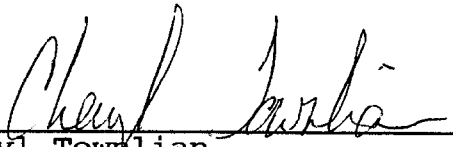

Michael L. Sazdanoff

Michael L. Sazdanoff
Kenneth J. Wysoglad & Associates
Attorneys for Petitioner
118 South Clinton Street
Suite 700
Chicago, Illinois 60661
(312) 441-0333

STATE OF MISSOURI)
) SS.
COUNTY OF GREENE)

VERIFICATION

Cheryl Townlian, being duly sworn on oath, deposes and states that she is Manager, Public Projects for The Burlington Northern and Santa Fe Railway Company, Petitioner herein; that she is duly authorized by said Railroad Company to sign, verify and file the foregoing Petition; and, that the matters set forth in said Petition are true and correct to the best of her knowledge, information and belief.



Cheryl Townlian

Subscribed and Sworn to before me,
this 28 day of July,
2000.



Notary Public
J. ALLEN KUHN
Notary Public - State of Missouri
County of Greene
My Commission Expires Feb. 24, 2002

PROOF OF SERVICE

State of Illinois)
) SS.
County of Cook)

Diane J. Hassert, being first duly sworn on oath, deposes and says that on the 11th day of August, 2000, she served a copy of the foregoing **PETITION** by depositing same in the U.S. mail depository located at Adams and Clinton Streets, Chicago, Illinois, in envelope(s) with first class postage, prepaid addressed to:

Hugh E. VanVoorst
Director
Division of Highways
Illinois Department of Transportation
2300 South Dirksen Parkway
Suite 300
Springfield, Illinois 62764

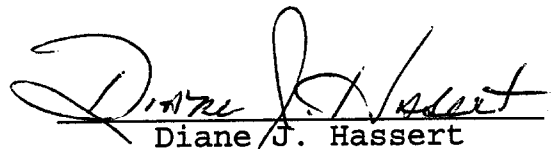
Russell Renner
Lee County Engineer
1629 Lee Center Road
P.O. Box 193
Amboy, Illinois 61310

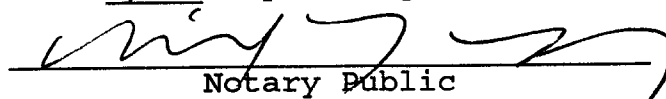
Nancy Nelson
Lee County Clerk and Recorder
P.O. Box 329
Dickson, Illinois 61021

Ronald Cardott
Road Commissioner
Alto Township
P.O. Box 98
Steward, Illinois 60553

Dennis Burkhardt
Township Supervisor
P.O. Box 19
Steward, Illinois 60553

Subscribed and Sworn to before me,
this 11 day of August, 2000.


Diane J. Hassert


Notary Public

